

EOT grant

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTIAN T. ALVAREZ,

No. C 10-05744 RMW

Petitioner,

ORDER SUA SPONTE GRANTING
EXTENSION OF TIME TO MAKE
ELECTION

vs.

M.D. MCDONALD, Warden,

Respondent.

On April 21, 2011, petitioner notified the court of his change of address from High Desert State Prison to Corcoran State Prison. On February 29, 2012, petitioner notified the court that he had not received a copy of respondent's Answer which was due on June 23, 2011.

On June 20, 2011, respondent filed a Motion to Dismiss Petition for Habeas Corpus for Failure to Exhaust State Remedies. The motion was served on petitioner at High Desert State Prison. On October 25, 2011, this court issued an order granting respondent's Motion to Dismiss and ordered petitioner to make an election as to how to proceed within 30 days of the date of the order.

Respondent is ordered to send petitioner a copy of his Motion to Dismiss, filed on June 20, 2011. Petitioner shall have forty-five days from the filing date of this order in which to elect one of the three options placed forth in this court's Order filed October 25, 2011.

DATED: HEB EFG

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CHRISTIAN T ALVAREZ,
Plaintiff,

Case Number: CV10-05744 RMW

CERTIFICATE OF SERVICE

v.

STATE OF CALIFORNIA et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 28, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Christian T Alvarez G-22117
D-4/Cell-138
PO Box 4670
Lancaster, CA 93539-4670

Dated: March 28, 2012

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk